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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/769,274

01/26/2001

Yasuhiro Yamamoto

P20201

4358

7590

07/06/2004

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EXAMINER

BAKER, CHARLOTTE M

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 07/06/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,274

Applicant(s)

YAMAMOTO, YASUHIRO

Examiner

Charlotte M Baker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

JEROME FRANZ II
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) *CMB*
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 4/26/01 was filed after the filing date of the application on 1/26/01. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

3. Claim 6 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1 and 6** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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5. **Regarding Claim 1** (Lines 6-8), "said computer having a second monitor" implies that the computer had a first monitor.

6. **Regarding Claim 6** (Lines 7-8), "a computer that is connected to said image reading device and has a second monitor" implies that the computer had a first monitor.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Ueno et al. (US 5,479,206).

Regarding Claim 1, the applicant outlines an image reading system (an image reading device that has a first monitor provided for indicating a first image read by said image reading device), which is satisfied by Ueno et al. in Figure 1, Items 5 and 10. Item 5 shows a monitor unit for displaying the image read by the electronic camera 10. The electronic camera serves as the image reading device. In addition, the applicant outlines "a computer that is connected to said image reading device to control said image reading device, said computer having a second monitor for indicating a second image related to a control of said image reading device", which is satisfied by Ueno et al. in Figure 1 Items 10, 30 and 40, and Column 2 Lines 57-62, and Figures 8-23. Figure 1 shows a computer 30 connected to electronic camera 10, and computer 30 connected to display unit 40 (monitor). In Column 2 Lines 57-62, Ueno et al. describes the control parameters of the electronic camera performed on the computer system side. Figures 8-23 show the display

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possibilities of the computer system monitor and the ability to control the electronic camera from the computer system. Furthermore, the applicant outlines "said first monitor being able to indicate said second image". In Column 11 Lines 29-30 "a host computer 30 connected to the electronic camera 10 by a communication line", and Column 13 Lines 34-40 describes the ability to have a monitor connected to each component of the communication line. Since the two units are connected on the same communication line, the images displayed by each separate component could be viewed from either monitor. Also, in Column 6 Lines 26-28 "received controlled variable is displayed in the computer system, and the user of the imaging system observes the displayed controlled variable".

Regarding Claim 3, the applicant outlines an image reading system "wherein said computer comprises a computer video memory in which video data, corresponding to said second image, is stored, and a video data transmitting processor that transmits said video data to said image reading device", which is satisfied by Ueno et al. in Column 13 Lines 17-20, and Column 13 Lines 22-31. In Column 13 Lines 22-31, "the host computer 30 further includes a main memory 32 and a display memory 34. The main memory 32 is provided with a transfer buffer 32A which stores image data transmitted from the electronic camera 10, and a camera control parameter memory 32 for storing camera control parameters". In Column 13 Lines 17-20, "transmission of the data and commands, which have been created by the CPU 31, to the electronic camera 10, and reception of image data transmitted from the electronic camera 10, are carried out through the communication interface".

Regarding Claim 4, the applicant outlines "internal video memory of the image reading device in which the transmitted video data from the computer can be stored", which is satisfied by Ueno

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et al. in Figure 2 Item 17 (Main Memory of Electronic Camera), and Column 13 Lines 2-4 “a reception buffer 17D for temporarily storing camera control parameters transmitted from the host computer 30”.

Regarding Claim 5, the applicant outlines “an image reading device with a video data writing processor that writes the video data to internal video memory after receiving a command from the computer”, which is satisfied by Ueno et al. in Column 18 Lines 38-47 “control of the electronic camera 10 is carried out in response to commands from the host computer 30. All of the camera control data is set in the set-up mode is displayed in the camera control-parameter display area 124. This data is stored in the reception buffer 17D of the main memory 17 in the electronic camera 10”.

Regarding Claim 6, the applicant outlines an image reading system (an image reading device that has a first monitor provided for indicating a first image read by said image reading device), which is satisfied by Ueno et al. in Figure 1, Items 5 and 10. Item 5 shows a monitor unit for displaying the image read by the electronic camera 10. The electronic camera serves as the image reading device. In addition, the applicant outlines “a computer that is connected to said image reading device to control said image reading device, said computer having a second monitor for indicating a second image related to a control of said image reading device”, which is satisfied by Ueno et al. in Figure 1 Items 10, 30 and 40, and Column 2 Lines 57-62, and Figures 8-23. Figure 1 shows a computer 30 connected to electronic camera 10, and computer 30 connected to display unit 40 (monitor). In Column 2 Lines 57-62, Ueno et al. describes the control parameters of the electronic camera performed on the computer system side. Figures 8-23 show the display possibilities of the computer system monitor and the ability to control the electronic camera from

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the computer system. Furthermore, the applicant outlines "said first monitor being able to indicate said second image". In Column 11 Lines 29-30 "a host computer 30 connected to the electronic camera 10 by a communication line", and Column 13 Lines 34-40 describes the ability to have a monitor connected to each component of the communication line. Since the two units are connected on the same communication line, the images displayed by each separate component could be viewed from either monitor. Also, in Column 6 Lines 26-28 "received controlled variable is displayed in the computer system, and the user of the imaging system observes the displayed controlled variable". Examiner further states both the computer and image reading device monitors are satisfied by Ueno et al. in Column 13 Lines 34-40 "the host computer may be provided with a monitor display unit 5A connected directly to the electronic camera to allow the image to be observed while the host computer 30 is being operated".

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. in view of Yamamoto (US 6,668,096). Ueno et al. Shows all subject matter disclosed as cited in the rejection of Claim 1, but Ueno et al. does not state that the display monitor is a LCD. Yamamoto clearly explains that a LCD can be used as a monitor. It would have been obvious to modify

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Ueno et al. to include a LCD as a monitor such as that taught by Yamamoto to improve resolution and power efficiency.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M Baker whose telephone number is (703) ³⁰⁶~~346~~-3456. *cmb*

The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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